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Letter dated 20 December 2013 from the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1718 (2006), which covers the Committee's activities during the period from 1 January to 31 December 2013. The report is submitted in accordance with the note by the President of the Council of 29 March 1995 (S/1995/234). In this connection, I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Sylvie **Lucas**
Chair
Security Council Committee established pursuant to resolution 1718 (2006)

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Report of the Security Council Committee established pursuant to resolution 1718 (2006)

[Original: English]

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1718 (2006) covers the period from 1 January to 31 December 2013.

2. During the reporting period, the Bureau of the Committee consisted of Ambassador Sylvie Lucas as Chair, with the delegations of Azerbaijan and Togo providing Vice-Chairs.

3. The Committee carried out its activities in accordance with its programme of work for the period from 1 May 2013 to 30 April 2014, which was adopted on 25 July 2013.

II. Background

4. In response to nuclear tests and launches conducted by the Democratic People's Republic of Korea that used ballistic missile technology, the Security Council adopted four resolutions imposing and/or strengthening various sanctions on that country: resolution 1718 (2006); resolution 1874 (2009); resolution 2087 (2013); and resolution 2094 (2013). By its resolutions 2087 (2013) and 2094 (2013), which were adopted during the reporting period, the Council strengthened the existing sanctions regime in several key areas. The factsheet outlining the main provisions of the four Security Council resolutions regarding the Democratic People's Republic of Korea and providing Member States with a comprehensive overview of their obligations is available on the Committee's website.

5. The Security Council Committee established pursuant to Security Council resolution 1718 (2006) is mandated to oversee the implementation of the measures imposed by those resolutions, examine and take appropriate action regarding alleged sanctions violations and make recommendations to strengthen the effectiveness of the measures.

6. The Committee is assisted by eight experts comprising the Panel of Experts that was initially established by resolution 1874 (2009) and whose mandate was renewed by the Council until 7 April 2014 by resolution 2094 (2013).

III. Summary of activities

A. Informal meetings and open briefings

7. In 2013, the Committee held nine informal meetings (on 30 January, 15 March, 8 April, 31 May, 1 July, 31 July, 11 September, 25 October and 20 December).

8. On 19 June, the Committee, with the assistance of its Panel of Experts, held an open briefing for Member States to share information about the work of the

Committee and the Panel and to highlight the assistance that the Committee can provide to Member States in the implementation of the resolutions and the submission of national reports.

9. On 18 November, the Chairs of the Security Council Committees engaged in countering the financing of terrorism (established pursuant to resolutions 1267 (1999), 1373 (2001), 1988 (2011) and 1989 (2011)) and those engaged in preventing the proliferation of weapons of mass destruction and their delivery (established pursuant to resolutions 1540 (2004), 1718 (2006) and 1737 (2006)), as well as the President of the Financial Action Task Force, held an open briefing for Member States on the respective roles of the Security Council and the Task Force in combating those threats to international peace and security. The briefing was intended to increase awareness among United Nations Member States of the measures imposed by the Council, the related recommendations and guidance developed by the Task Force and the assistance that the Council sanctions committees and their experts groups, as well as the Task Force, can provide to Member States.

B. Reports to the Security Council

10. In accordance with paragraph 12 (g) of Security Council resolution 1718 (2006), the Committee should report at least every 90 days to the Security Council on its work. Accordingly, the Chair briefed the Council on 21 February, 16 May, 7 August and 7 November 2013.

C. Reports from Member States on the implementation of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013)

11. During the reporting period, 30 Member States reported to the Committee on the implementation of resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013).

D. Communications from and to Member States related to alleged violations of the measures imposed in Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013)

12. During the reporting period, the Committee received five reports of alleged violations concerning measures imposed by the relevant Security Council resolutions.

13. A Member State sent to the Committee three reports of alleged violations. In a letter dated 1 February, the Member State reported that on 28 July 2012, its authorities had seized an item categorized as "luxury goods" that was destined for the Democratic People's Republic of Korea. In a letter dated 4 February, the same State informed the Committee of the arrest on 31 January of one individual suspected of illegally exporting luxury goods to the Democratic People's Republic of Korea. By two letters, dated 26 February and 18 March 2013, respectively, the State brought to the Committee's attention that it had inspected a cargo on-board a vessel that contained five cylinders of aluminium alloy, which the Democratic

People's Republic of Korea is prohibited from exporting, in possible violation of paragraph 8 (a) (ii) of resolution 1718 (2006).

14. On 17 July, the Committee received a letter from a Member State informing of the inspection of a ship flagged and owned by the Democratic People's Republic of Korea which was carrying items that, upon preliminary examination, might be subject to the measures imposed by resolutions 1718 (2006) and 1874 (2009). The Committee received subsequent information from the reporting State on 11 September. The State of origin of the shipment wrote to the Committee on 4 September and 14 November, providing additional information about the incident.

15. On 5 September, a Member State transmitted to the Committee a report on an inspection undertaken by its authorities of an air trans-shipment cargo believed to be linked to the Democratic People's Republic of Korea.

16. The Committee, with the assistance of the Panel of Experts, is continuing its consideration of the reported incidents.

E. Other communications from and to Member States and international organizations

17. On 25 January, the Committee received a letter from an organization requesting confirmation that its proposal for technical assistance to the Democratic People's Republic of Korea did not contravene the applicable Security Council sanctions regime. In its reply dated 13 February, the Committee confirmed that the project was not prohibited by the relevant resolutions, but as some of the items involved might fall within the prohibited category, it requested that the organization provide the technical specifications for a number of items. The organization provided such technical specifications in a letter dated 19 December.

18. On 14 March, a Department of the United Nations Secretariat requested clarification about the impact of the measures imposed in resolution 2094 (2013) on a fellowship programme for journalists. On 17 April, the Committee informed the Department that nothing in the aforesaid resolution would affect the Department's inclusion of a candidate from the Democratic People's Republic of Korea in the programme, as long as the individual had not been designated by the Committee or the Security Council as subject to a travel ban.

19. On 19 March, an organization transmitted to the Committee the list of activities it was planning to undertake in the Democratic People's Republic of Korea. Subsequently, in a letter dated 9 April 2013, the organization withdrew its request for comments on the planned activities, informing the Committee that it had decided to put on hold all activities in the Democratic People's Republic of Korea.

20. On 2 April, a Member State requested guidance from the Committee on the implementation of paragraph 8 (a) of resolution 1718 (2006), in connection with the possible export of an aircraft to the Democratic People's Republic of Korea. In response, the Committee provided guidance by a letter dated 14 May.

21. On 4 April, a Member State provided additional information with regard to an incident of non-compliance involving a vessel owned by a company based in that State.

22. On 29 April, a Member State requested additional information concerning certain individuals subject to the assets freeze and/or the travel ban, which was provided by the Committee on 24 June.

23. On 14 May, an organization requested guidance from the Committee on whether the technical assistance requested from it by the State Institute for Control of Drugs in the Democratic People's Republic of Korea fell within the scope of the sanctions regime. In its letter dated 24 June, the Committee advised the organization that nothing in the relevant Security Council resolutions would prohibit or restrict the activities described by the organization.

24. On 29 May, an organization sought advice and clarification from the Committee on whether activities in the Democratic People's Republic of Korea conducted or proposed within the framework of the Clean Development Mechanism of the Kyoto Protocol would be prohibited or restricted under the relevant Security Council resolutions. On 13 June, the Committee confirmed that nothing in the resolutions prohibited or restricted the described project activities.

25. On 26 September, the Committee provided clarifications to a Member State on questions raised in its national implementation report regarding one item on the Consolidated List of Additional Items and Luxury Goods which are prohibited to export to the Democratic People's Republic of Korea. A revised version of the Consolidated List was posted on the Committee's website.

F. Update to the Consolidated List of Entities and Individuals subject to assets freeze and/or travel ban

26. On 28 August, the Committee approved the updated Consolidated List of Entities and Individuals subject to assets freeze and/or travel ban with a corresponding link that provides the names of the entities and individuals in the Korean language. Both lists are available on the Committee's website.

G. Adoption of a factsheet and updates to implementation assistance notices

27. As a follow-up to Security Council resolutions 2087 (2013) and 2094 (2013) and as part of the Committee's efforts to assist Member States to implement the resolutions, the Committee adopted on 25 June a factsheet that outlines the main provisions of the Security Council resolutions regarding the Democratic People's Republic of Korea and provides Member States with a comprehensive overview of their obligations. The factsheet is available on the Committee's website.

28. Also, as a follow-up to the newly adopted resolutions, in 2013 the Committee updated the following implementation assistance notices: information to assist Member States in carrying out their obligations under the relevant Council resolutions; guidelines on the preparation and submission of national implementation reports; and guidelines for the implementation of measures regarding "luxury goods". Those documents are available on the Committee's website. The notice on the preparation and submission of national implementation reports contains an updated optional checklist template, which is cross-referenced to

the factsheet in order to assist States in preparing and submitting such reports in a timely manner.

H. Panel of Experts

29. During the reporting period, the Committee continued to be assisted by the Panel of Experts.

30. Following the adoption by the Security Council of resolution 2094 (2013) on 7 March, the Secretary-General, on 28 March 2013, reappointed to the Panel of Experts the seven individuals who were serving on the Panel at that time (S/2013/199). Also, in accordance with the same resolution, the Secretary-General appointed an eighth expert to the Panel on 21 June (S/2013/369). Mr. Neil Watts joined the Panel on 10 July.

31. On 12 May, in accordance with paragraph 2 of resolution 2050 (2012) the Panel of Experts provided its final report to the Committee, which was transmitted to the Security Council on 7 June and issued as a document of the Security Council (S/2013/337).

32. On 29 May, the Panel of Experts transmitted to the Committee its report regarding operational difficulties experienced by diplomatic missions in the Democratic People's Republic of Korea as a result of sanctions.

33. On 12 July, in accordance with paragraph 29 of resolution 2094 (2013) and the schedule of reporting adopted by the Committee on 20 March (S/2013/186), the Panel of Experts submitted to the Committee, for its information, the Panel's planned programme of work until 7 April 2014.

34. On 4 October, in accordance with paragraph 29 of resolution 2094 (2013), the Panel of Experts transmitted to the Committee its midterm report, which was transmitted to the Security Council on 31 October.

35. During the reporting period, at the invitation of the countries concerned, the Panel of Experts conducted visits to Belarus (11 and 12 December), Cuba (22 and 23 October), France (6 February), Japan (6 to 8 March and 12 and 13 June), Namibia (15 and 16 March), Republic of Korea (3 and 4 April and 21 and 22 October), Panama (13 and 14 August), and the United Kingdom of Great Britain and Northern Ireland (22 to 25 March and 2 and 3 October) to discuss the measures taken by those countries to implement resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013). The Panel of Experts also held informal consultations with Government officials and national experts of Member States and with representatives of several international organizations and entities, such as the Asia Pacific Group on Money Laundering, Caribbean Financial Action Task Force, Council for Security Cooperation in Asia Pacific, Counter-Terrorism Executive Directorate, Financial Action Task Force, United Nations Office on Drug and Crime, and the World Customs Organization. The Panel members also participated in a number of relevant international meetings, conferences and seminars.

36. The Panel continued its investigations of incidents of non-compliance and alleged violations and submitted 10 incident reports to the Committee in 2013. Of those, three were related to arms and materiel, three to weapons of mass destruction and four to luxury goods.

Annex*

National implementation reports received in 2013

Member State or organization	*Document symbol*	*Date of communication*
Australia	S/AC.49/2013/13	1 July 2013
Azerbaijan	S/AC.49/2013/29	14 November 2013
Bahrain	S/AC.49/2013/16	9 July 2013
Belarus	S/AC.49/2013/22	16 September 2013
Belgium	S/AC.49/2013/1	20 May 2013
Brazil	S/AC.49/2013/2	22 May 2013
China	S/AC.49/2013/25	29 October 2013
Colombia	S/AC.49/2013/21	13 September 2013
Cyprus	S/AC.49/2013/28	6 November 2013
Germany	S/AC.49/2013/30	21 November 2013
Greece	S/AC.49/2013/6	4 June 2013
Japan	S/AC.49/2013/7	5 June 2013
Latvia	S/AC.49/2013/15	5 July 2013
Lithuania	S/AC.49/2013/14	1 July 2013
Luxembourg	S/AC.49/2013/19	1 August 2013
Malta	S/AC.49/2013/23	3 October 2013
Mexico	S/AC.49/2013/4	30 May 2013
New Zealand	S/AC.49/2013/11	12 June 2013
Pakistan	S/AC.49/2013/12	18 June 2013
Philippines	S/AC.49/2013/17	11 July 2013
Qatar	S/AC.49/2013/5	3 June 2013
	S/AC.49/2013/5/Add.1	17 July 2013
Republic of Korea	S/AC.49/2013/8	5 June 2013
Russian Federation	S/AC.49/2013/9	7 June 2013
	S/AC.49/2013/9/Add.1	5 December 2013

* The lists of reports received prior to 2013 are contained in the enclosures to the Committee's previous reports, available from http://www.un.org/sc/committees/1718/annualreports.shtml.

Member State or organization	*Document symbol*	*Date of communication*
Saudi Arabia	S/AC.49/2013/27	1 November 2013
Serbia	S/AC.49/2013/10	13 June 2013
Singapore	S/AC.49/2013/3	30 May 2013
Sweden	S/AC.49/2013/18	30 July 2013
Switzerland	S/AC.49/2013/26	1 November 2013
United States of America	S/AC.49/2013/24	22 October 2013
Viet Nam	S/AC.49/2013/20	12 August 2013